REMARKS

Initially, Applicant notes that the Examiner set a shortened statutory period for responding to the final Office Action of one month in the Office Action Summary and three months in the body of the Office Action. Applicant's representative attempted to contact the Examiner for clarification, but Applicant's representative's phone calls were not returned. Applicant assumes that the three month period for response, as set in the body of the Office Action, applies in this case.

In the final Office Action, the Examiner rejected claims 1, 2, 11-13, 38, 42-44, and 48-51 under 35 U.S.C. § 103(a) as unpatentable over Bowman et al. (U.S. Patent No. 6,006,225) in view of Search Engine Showdown ("Google News Loses Functionality," 2003) (hereinafter referred to as "SES") and Teare et al. (U.S. Patent No. 6,151,624); and rejected claims 7-9 and 45-47 under 35 U.S.C. § 103(a) as unpatentable over Bowman et al. in view of SES and Teare et al. and further in view of Korda et al. (U.S. Patent No. 6,564,210).

By this Amendment, Applicant proposes amending claims 1, 2, 7-9, 11-13, 38, 42-45, 47, 50, and 51 to improve form, and adding new claims 52-60. No new matter has been added. Applicant respectfully traverses the Examiner's rejections under 35 U.S.C. § 103 with regard to the claims presented herein. Claims 1, 2, 7-9, 11-13, 38, and 42-60 will be pending after entry of this Amendment.

REJECTION UNDER 35 U.S.C. § 103 BASED ON BOWMAN ET AL., SES, AND TEARE ET AL.

In paragraphs 1-13 of the final Office Action, the Examiner rejected claims 1, 2, 11-13, 38, 42-44, and 48-51 under 35 U.S.C. § 103(a) as allegedly unpatentable over Bowman et al., SES, and Teare et al. Applicant respectfully traverses the rejection.

Amended independent claim 1 is directed to an automated method that comprises receiving a search query; determining whether the received search query includes an entity name corresponding to a particular entity; determining whether to rewrite the received search query based on information relating to selections of search results from prior searches conducted based on prior search queries including the entity name; rewriting the received search query to include a restrict identifier relating to a domain associated with the particular entity when the information relating to selections of search results from the prior searches indicates that users intended the particular entity when the users submitted the prior search queries including the entity name; automatically performing a search restricted to the domain associated with the particular entity based on the rewritten search query to obtain search results; and presenting the search results.

Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, do not disclose or suggest the combination of features recited in amended claim 1. For example, Bowman et al., SES, and Teare et al. do not disclose or suggest rewriting a received search query to include a restrict identifier relating to a domain associated with a particular entity when information relating to selections of search results from prior searches indicates that users intended the particular entity when the users submitted the prior search queries including the entity name, as recited in claim 1.

The Examiner alleged that Bowman et al. discloses rewriting the received search query when it is determined that the received search query should be rewritten based on information relating to prior searches and cited column 6, line 59 - column 7, line 34, of Bowman et al. for support (final Office Action, paragraph 1). Without acquiescing in the Examiner's allegation,

Applicant submits that <u>Bowman et al.</u> does not disclose or suggest rewriting a received search query to include a restrict identifier relating to a domain associated with a particular entity when information relating to selections of search results from prior searches indicates that users intended the particular entity when the users submitted the prior search queries including the entity name, as recited in claim 1.

At column 6, line 59 - column 7, line 34, <u>Bowman et al.</u> discloses storing a related term together with a correlation score that indicates the number of times the related term has appeared in combination with a key term in user queries. <u>Bowman et al.</u> also discloses that when a user submits a query, one or more related terms are identified and these related terms are presented as suggested terms with the query result listing. Nowhere in this section, or elsewhere, does <u>Bowman et al.</u> disclose or suggest rewriting a received search query when information relating to selections of search results from prior searches indicates that users intended a particular entity when the users submitted the prior search queries including the entity name, as recited in claim 1. <u>Bowman et al.</u> merely discloses generating related query terms using query term correlation data that is based on the frequencies with which specific terms have historically been submitted together within the same query (col. 2, lines 28-37).

Thus, <u>Bowman et al.</u> does not disclose or suggest rewriting a received search query to include a restrict identifier relating to a domain associated with a particular entity when information relating to selections of search results from prior searches indicates that users intended the particular entity when the users submitted the prior search queries including the entity name, as recited in claim 1.

The Examiner admitted that <u>Bowman et al.</u> does not disclose rewriting a received search

query to include a restrict identifier (final Office Action, paragraph 1). The Examiner alleged

that <u>SES</u> discloses restricting searches to a domain or site of a news source using a restrict

identifier (final Office Action, paragraph 1). The Examiner alleged that it would have been

obvious to include a restrict identifier in <u>Bowman et al.</u> "to allow the user to narrow the search

results and to aid in providing the desired web page" (final Office Action, paragraph 1).

Applicant submits that the Examiner's allegation lacks merit.

      <u>Bowman et al.</u> already discloses narrowing search results by presenting related query

terms. The Examiner has not explained how the <u>Bowman et al.</u> system would benefit from

including a restrict identifier relating to a domain associated with a particular entity. <u>Bowman et</u>

<u>al.</u> appears to disclose searches associated with a single domain (i.e., the Amazon.com web site)

(col. 4, lines 58-67). Thus, even assuming, for the sake of argument that <u>Bowman et al.</u> discloses

receiving a search query that includes an entity name corresponding to a particular entity (a point

that Applicant does not concede), <u>Bowman et al.</u> would not disclose or suggest rewriting the

received search query to include a restrict identifier <u>relating to a domain associated with the</u>

<u>particular entity</u> even if one of ordinary skill in the art at the time of Applicant's invention was

aware of the <u>Bowman et al.</u> system and the disclosure of <u>SES</u>.

      Further, even assuming, for the sake of argument, that one of ordinary skill in the art at

the time of Applicant's invention would have sought to include a restrict identifier in the

<u>Bowman et al.</u> system (a point that Applicant's do not concede), this person of ordinary skill

would not have sought to rewrite a received search query with a restrict identifier when

information relating to selections of search results from prior searches indicates that users

intended the particular entity when the users submitted the prior search queries including the

entity name, as recited in claim 1.

The Examiner also relied upon Teare et al. for allegedly disclosing resolving an entity name to a corresponding URL based on statistics from prior queries (final Office Action, paragraph 1). Applicant submits that it is unclear as to what features of claim 1 the Examiner is asserting that Teare et al. discloses. Claim 1 does not recite resolving an entity name to a corresponding URL based on statistics from prior queries. Nevertheless, Applicant submits that Teare et al. does not cure the deficiencies in the disclosures of Bowman et al. and SES.

Teare et al. discloses a system that maps real names to network addresses (i.e., URLs), where a "real name" is the name of a network resource expressed in conventional syntax of a natural language (col. 9, lines 8-12). Teare et al. discloses that if a real name yields more than a single match (e.g., the real name "Microsoft" might match the real names "Microsoft Excel" and "Microsoft Word"), then statistical information, including a usage value computed by applying a weighting function to a count of past resolutions for that real name, is used to order the matches (col. 21, lines 39-56). Teare et al. does not disclose or suggest anything that would cure the deficiencies in the disclosures of Bowman et al. and SES that are identified above. Thus, Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, do not disclose or suggest rewriting a received search query to include a restrict identifier relating to a domain associated with a particular entity when information relating to selections of search results from prior searches indicates that users intended the particular entity when the users submitted the prior search queries including the entity name, as recited in claim 1.

Bowman et al., SES, and Teare et al. also do not disclose or suggest automatically performing a search restricted to the domain associated with the particular entity based on the

rewritten search query to obtain search results, as further recited in claim 1.

The Examiner alleged that <u>Bowman et al.</u> discloses performing a search based on a rewritten search query (final Office Action, paragraph 1). The Examiner admitted that <u>Bowman et al.</u> does not disclose automatically performing this search, but instead discloses simply providing hyperlinks to rewritten search queries (final Office Action, paragraph 1). The Examiner cited to a prior legal decision that allegedly supports the notion that automating a manual activity is not sufficient to distinguish over the prior art (final Office Action, paragraph 1). Applicant submits that the Examiner is misapplying the prior legal decision.

Claim 1 does not simply recite automating a manual activity. In other words, performing a search is not a manual activity. It is an automated activity, which is being automatically performed in claim 1. In other words, claim 1 recites that performing a search is automatically performed (e.g., without requiring user intervention). Thus, the prior legal decision does not cure the deficiencies in the Examiner's rejection.

The Examiner admitted that <u>Bowman et al.</u> does not disclose or suggest this feature (final Office Action, paragraph 1). Thus, the Examiner admitted that a prima facie case of obviousness has not been established with regard to claim 1.

For at least these reasons, Applicant submits that claim 1 is patentable over <u>Bowman et al.</u>, <u>SES</u>, and <u>Teare et al.</u>, whether taken alone or in any reasonable combination. Claims 2, 11, 50, and 51 depend from claim 1 and are, therefore, patentable over Bowman et al, <u>SES</u>, and <u>Teare et al.</u> for at least the reasons given with regard to claim 1. Claims 2, 11, 50, and 51 are also patentable over <u>Bowman et al.</u>, <u>SES</u>, and <u>Teare et al.</u> for reasons of their own.

For example, amended claim 2 recites providing a link to the received search query with

the search results, where selection of the link causes a search to be performed based on the received search query. Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, do not disclose or suggest this feature.

The Examiner alleged that Bowman et al. discloses a "Back" button in the toolbar of a web browser illustrated in Figure 9, and this Back button is a link to the received search query (final Office Action, paragraph 2). Applicant submits that the Examiner's allegation lacks merit.

In Figure 9, Bowman et al. illustrates a query result page that presents results of a user's search (col. 14, lines 13-17). Contrary to the Examiner's allegation, the Back button in the toolbar provided by the web browser cannot reasonably be equated to a link to a received search query. Instead, selection of the Back button would simply cause the web browser to go to the previous page. Thus, Applicant submits that there is no merit to the Examiner's allegation. Nowhere in connection with Figure 9, or elsewhere, does Bowman et al. disclose or suggest providing a link to a received search query with search results obtained from a search performed on a domain associated with a particular entity, where selection of the link causes a search to be performed based on the received search query, as recited in claim 2. SES and Teare et al. also do not disclose or suggest this feature of claim 2.

For at least these additional reasons, Applicant submits that claim 2 is patentable over Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination.

Claim 50 recites that the entity name corresponds to a store name associated with a particular store, and automatically performing the search restricted to the domain associated with the particular entity includes automatically performing a search restricted to a domain associated with the particular store. Bowman et al., SES, and Teare et al., whether taken alone or in any

reasonable combination, do not disclose or suggest these features.

The Examiner did not address these features, but instead simply referred to the rejection of claim 43 (final Office Action, paragraph 12). With regard to claim 43, the Examiner alleged that SES shows that it is desirable to restrict to a domain for a given source name (final Office Action, paragraph 8). Applicant disagrees with the Examiner's allegation.

SES does not disclose or suggest that it is "desirable" to restrict to a domain for a given source name, as alleged by the Examiner. Instead, SES discloses that it is possible to restrict a search to a particular news source in Google News. Nowhere does SES disclose or remotely suggest restricting a search to a domain associated with a particular store associated with a store name included in a received search query. Thus, SES does not disclose or suggest automatically performing a search restricted to a domain associated with the particular store associated with a store name included in a received search query, as recited in claim 50.

Further, even assuming, for the sake of argument, that SES could reasonably be construed as disclosing restricting a search to a domain associated with a particular store associated with a store name included in a received search query, Applicant submits that it would not have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the system of Bowman et al. to include this feature. Bowman et al. discloses a search performed on the Amazon.com web site (col. 4, lines 58-60). In other words, a search performed in Bowman et al. is already restricted to the Amazon.com web site. Thus, contrary to the Examiner's allegation, it would not make sense to restrict a search to a domain associated with a particular store associated with a store name included in a received search query in the Bowman et al. system.

Moreover, the Examiner has provided no explanation as to why one of ordinary skill in the art at the time of Applicant's invention would have found it obvious to restrict a search to a domain associated with a particular store associated with a store name included in a received search query in the Bowman et al. system. Thus, the Examiner has not established a prima facie case of obviousness with regard to claim 50.

For at least these additional reasons, Applicant submits that claim 50 is patentable over Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination.

Claim 51 recites that the entity name corresponds to a name of a particular news source, and automatically performing the search restricted to the domain associated with the particular entity includes automatically performing a search restricted to a domain associated with the particular news source. Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, do not disclose or suggest these features.

The Examiner did not address these features, but instead simply referred to the rejection of claim 44 (final Office Action, paragraph 13). With regard to claim 44, the Examiner simply referred to the rejection of claim 2 (final Office Action, paragraph 9). Claim 2, however, does not recite any of these features. Thus, the Examiner did not establish a prima facie case of obviousness with regard to claim 51.

For at least these additional reasons, Applicant submits that claim 51 is patentable over Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination.

Amended independent claim 12 is directed to a system implemented within one or more computer devices. The system comprises means for receiving a search query; means for determining whether the received search query includes an entity name corresponding to a

particular entity; means for rewriting the received search query to include a restrict identifier relating to a domain associated with the particular entity when the received search query includes the entity name; means for automatically performing a search restricted to the domain associated with the particular entity based on the rewritten search query to obtain search results in lieu of performing a search based on the received search query; and means for providing the search results.

Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, do not disclose or suggest the combination of features recited in amended claim 12. For example, Bowman et al., SES, and Teare et al. do not disclose or suggest means for rewriting a received search query to include a restrict identifier relating to a domain associated with the particular entity when the received search query includes the entity name, as recited in claim 12, for at least reasons similar to reasons given with regard to claim 1.

Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, also do not disclose or suggest means for automatically performing a search restricted to the domain associated with the particular entity based on the rewritten search query to obtain search results in lieu of performing a search based on the received search query, as further recited in claim 12.

The Examiner did not address this feature, but instead, generally referred to the rejection of claim 1 (final Office Action, paragraph 4). Claim 1, however, does not recite this feature. Therefore, the Examiner did not establish a prima facie case of obviousness with regard to claim 12.

Moreover, Applicant submits that Bowman et al. teaches away from the above-identified

feature of claim 12. <u>Bowman et al.</u> discloses performing a search based on a received search query and presenting sets of related terms with the results of performing the search based on the received search query (col. 14, lines 13-18). Nowhere does <u>Bowman et al.</u> disclose or remotely suggest performing a search based on a rewritten search query <u>in lieu of performing a search based on a received search query</u>. Thus, <u>Bowman et al.</u> cannot disclose or suggest means for automatically performing a search restricted to the domain associated with the particular entity based on the rewritten search query to obtain search results in lieu of performing a search based on the received search query, as recited in claim 12. The disclosures of <u>SES</u> and <u>Teare et al.</u> provide nothing to cure these deficiencies in the disclosure of <u>Bowman et al.</u>

For at least these reasons, Applicant submits that claim 12 is patentable over <u>Bowman et al.</u>, <u>SES</u>, and <u>Teare et al.</u>, whether taken alone or in any reasonable combination.

Amended independent claim 13 recites features similar to, yet possibly different in scope from, features recited in claim 1. Therefore, claim 13 is patentable over <u>Bowman et al.</u>, <u>SES</u>, and <u>Teare et al.</u>, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons given with regard to claim 1. Claims 44, 48, and 49 depend from claim 13 and are, therefore, patentable over <u>Bowman et al.</u>, <u>SES</u>, and <u>Teare et al.</u> for at least the reasons given with regard to claim 13.

Amended independent claim 38 recites features similar to, yet possibly different in scope from, features recited in claims 1 and 12. Therefore, claim 38 is patentable over <u>Bowman et al.</u>, <u>SES</u>, and <u>Teare et al.</u>, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons given with regard to claims 1 and 12.

Amended independent claim 42 recites features similar to, yet possibly different in scope

from, features recited in claim 50. Therefore, claim 42 is patentable over Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, for at least reasons similar to the reasons given with regard to claim 50.

Amended independent claim 43 recites features similar to, yet possibly different in scope from, features recited in claim 51. Therefore, claim 43 is patentable over Bowman et al., SES, and Teare et al., whether taken alone or in any reasonable combination, for at least reasons similar to the reasons given with regard to claim 51.

Accordingly, Applicant respectfully requests that the rejection of claims 1, 2, 11-13, 38, 42-44, and 48-51 under 35 U.S.C. § 103 based on Bowman et al., SES, and Teare et al. be reconsidered and withdrawn.

REJECTION UNDER 35 U.S.C. § 103 BASED ON BOWMAN ET AL., SES, TEARE ET AL., AND KORDA ET AL.

In paragraphs 14-16 of the final Office Action, the Examiner rejected claims 7-9 and 45-47 under 35 U.S.C. § 103(a) as allegedly unpatentable over Bowman et al., SES, Teare et al., and Korda et al. Applicant traverses the rejection.

Claims 7-9 depend from claim 1, and claims 45-47 depend from claim 13. Without acquiescing in the Examiner's rejection of claims 7-9 and 45-47, Applicant submits that the disclosure of Korda et al. does not cure the deficiencies in the disclosures of Bowman et al., SES, and Teare et al. identified above with regard to claims 1 and 13. Therefore, Applicant submits that claims 7-9 and 45-47 are patentable over Bowman et al., SES, Teare et al., and Korda et al., whether taken alone or in any reasonable combination, for at least the reasons given above and with regard to claims 1 and 13.

Accordingly, Applicant respectfully requests that the rejection of claims 7-9 and 45-47

under 35 U.S.C. § 103 based on <u>Bowman et al.</u>, <u>SES</u>, <u>Teare et al.</u>, and <u>Korda et al.</u> be reconsidered and withdrawn.

<div align="center">*NEW CLAIMS*</div>

New independent claim 52 recites features similar to, yet possibly different in scope from, features recited in claim 13. Claim 52 is, therefore, patentable over the applied references, whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 13. New claims 53 and 54 depend from claim 52 and are, therefore, patentable over the applied references for at least the reasons given with regard to claim 52. New claims 55 and 56 depend from claim 38 and are, therefore, patentable over the applied references for at least the reasons given with regard to claim 38. New claims 57 and 58 depend from claim 42 and are, therefore, patentable over the applied references for at least the reasons given with regard to claim 42. New claims 59 and 60 depend from claim 43 and are, therefore, patentable over the applied references for at least the reasons given with regard to claim 43.

<div align="center">*CONCLUSION*</div>

In view of the foregoing amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of the application and the timely allowance of the pending claims.

As Applicant's remarks with respect to the Examiner's rejections overcome the rejections, Applicant's silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicant that such assertions are accurate or that such requirements have been met, and Applicant reserves the right to dispute these assertions/requirements in the future.

If the Examiner believes that the application is not now in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned to discuss any outstanding issues.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 2, 7-9, 11-13, 38, and 42-60 in condition for allowance. Applicant submits that this Amendment should allow for immediate action by the Examiner. Further, Applicant submits that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

To the extent necessary, a petition for an extension of time under 35 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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